

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Pacific Gas and Electric Company (U 39-E), for approval of the 2006 – 2008 Energy Efficiency Programs and Budget.	Application 05-06-004 (Filed June 1, 2005)
Southern California Gas Company (U 904-G) for approval of Natural Gas Energy Efficiency Programs and Budgets for Years 2006 through 2008.	Application 05-06-011 (Filed June 1, 2005)
Southern California Edison Company (U 338-E), for Approval of its 2006 – 2008 Energy Efficiency Program Plans and associated Public Goods Charge (PGC) and Procurement Funding Requests.	Application 05-06-015 (Filed June 2, 2005)
San Diego Gas & Electric Company (U 902-E) for Approval of Electric and Natural Gas Energy Efficiency Programs and Budgets for Years 2006 through 2008.	Application 05-06-016 (Filed June 2, 2005)

**ADMINISTRATIVE LAW JUDGE’S RULING  
DENYING MOTION TO INTERVENE OF  
CALIFORNIANS FOR RENEWABLE ENERGY, INC.**

On June 27, 2005, Californians For Renewable Energy Inc. (CARE) filed and electronically served a motion to intervene in this consolidated proceeding. In its motion, CARE argues that the scope of the proceeding should address the

“social and interrelated economic impacts” of the proposed energy efficiency portfolios, in order to serve the interests of its members, who are predominantly “low-income, native peoples, and peoples of color.”

First, CARE’s intervention motion does not explain its failure to participate in the Prehearing Conference (PHC) held in this matter on June 22, 2005, notwithstanding the fact that the Notice of the PHC underscored the importance of such participation and provided clear guidance that: *“All those seeking to become parties in this proceeding shall attend the PHC and file an appearance. Those who demonstrate a plan to actively participate in the proceeding will be granted party status. Any others filing appearances will be granted Information Only or other appropriate status.”*

Second, CARE’s claim that granting its motion at this stage would not “disrupt the proceedings or harm any existing parties” lacks merit. As discussed in my Notice of PHC and at some length during the PHC, we have established a process for developing a “Case Management Statement” (CMS) to be filed on July 15<sup>th</sup>. It is intended to facilitate constructive dialog among the utilities, Peer Review Group members and parties filing opening comments to identify areas where issues initially in dispute have been resolved through additional exchange of information, and to identify remaining areas of disagreement that require Commission resolution. A party filing opening comments on June 30<sup>th</sup> has the responsibility of being responsive to the issues scoped at the PHC, or else their participation at the CMS meetings could indeed be disruptive to other participants and hinder the ability of the CMS participants to meet the July 15 deadline.

Most importantly, had a representative from CARE identified themselves at the PHC (when I requested such identification) as planning to file opening comments, I would have inquired about the scope of issues they intended to address. Had they indicated, as the motion states, that the Commission's review of the applications should consider the "social and interrelated economic impacts" of the proposed energy efficiency portfolios, I would have indicated that the framework and evaluation approach for the utilities' post-2005 program plans is established by the Commission's adopted policy rules, and those considerations are not among them.<sup>1</sup> Based on CARE's stated interest in energy efficiency matters, I may have directed CARE to the low-income energy efficiency program docket (R.04-01-006). In any event, CARE's stated interest with respect to energy efficiency matters does not appear to be within the scope of this proceeding.

For the above reasons, **IT IS RULED that** Californians For Renewable Energy Inc.'s Motion to Intervene is denied.

Dated July 1, 2005, at San Francisco, California.

/s/ MEG GOTTSTEIN by LTC

Meg Gottstein  
Administrative Law Judge

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<sup>1</sup> Those policy rules were issued on April 21, 2005 in D.05-04-051,

## **CERTIFICATE OF SERVICE**

I certify that I have by electronic mail to those who provided electronic mail addresses, and by U.S. mail to those who did not provide e-mail addresses, this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Motion to Intervene of Californians for Renewable Energy, Inc. on all parties of record in this proceeding or their attorneys of record.

Dated July 1, 2005, at San Francisco, California.

/s/ FANNIE SID

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Fannie Sid

## **N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.